

I write to urge you to reject the Notice of Proposed Rulemaking #02-230, which would limit the functionality of digital television sets. As currently constructed, this •broadcast flag• proposal would hamper innovation in digital televisions and other electronic equipment capable of receiving digital broadcasts.

As I understand it this rule would make it impossible for my wife to record a digital TV program for later viewing. Viewing a program at a time that is convenient for the viewer rather than for the broadcaster clearly causes no harm to the copyright owner, performer, or anyone else. Any rule which restricts this option is clearly a violation of the public's right to choose.

In recent years, the entertainment industry has become acutely aware of the challenges it faces in the digital era. But these challenges do not give it the right to restrict consumers' abilities to record their favorite programs, or purchase electronic devices that allow them to record and save memorable family moments. The market is best suited to address and weigh these competing concerns and the FCC should give it time to work - particularly in a nascent industry like digital television -- before handing over consumer autonomy to the whims of entertainment industry executives.

Again, I strongly urge you to reject this undemocratic rule.